

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Inventor: | Hankejh et al. | Examiner: | Vu, V. |
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Title of Invention: Real Time Internet Communications System

Seattle, Washington 98109

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TO THE COMMISSIONER FOR PATENTS
Washington, D.C. 20231

DECLARATION OF HOA TON-THAT UNDER RULE 131(b)

Hoa Ton-That declares:

1. I am over the age of 18, and competent to testify in this matter. I am a co-inventor of the above invention.

2. At least as early as the beginning of 1996, I also began working in Akron, Ohio USA on a chat function that could be combined with a browser leading function, so that a chat participant, by entering a web address on a special address bar or the like inside the chat environment and activating it, could lead all other chat participants' simultaneously running browsers to any location on the Web.

3. In July 1996 my friend and subsequent co-inventor Damion Hankejh explained to me his vision for a browser leading function within a chat function that could be enabled by Java coding, just as set forth in the patent application on file and in Damion's declaration, both of which I have read. I showed him some of my earlier work on the same subject and we agreed to collaborate. We worked together between July 1996 and August 1996, virtually connected to each other over the Web, and created several further test embodiments, culminating later in the Fall of 1996 in a successful and functional Java-based browser leading function enabled in a chat session. We tested and verified it repeatedly, first with each other, and then tested it in confidence among some of Damion's colleagues, such as Don Moschberger and Dr. Arthur Ammann, at the American Foundation for AIDS Research (amfAR) in New York City, NY, and with several of my colleagues where I worked at Link, LLC in Akron, OH, all before the end of 1996. (See Declarations of Don Moschberger and Damion Hankejh.) Two colleagues I can recall are Brian Deagan and Bill Landers.

4. Also around the Fall of 1996, Damion communicated to me in Akron that he was working on developing a Web site for amfAR, and how he thought their 200+ member professional advisory panel and their funded grantee researchers could be served by our browser leading chat session as both a collaboration and educational tool and in a broader sense as a customer service and support tool for the then burgeoning e-commerce market. He explained his picture to me of how a chat session could be started, and virtually any number of people could log into that chat session, and then a designated chat leader could lead the browsers of the other chat members to anywhere on the web, including URL's within a website hosted by the chat leader himself and containing all the educational or collaboration materials that he wanted to share with his colleagues. He also explained how a CSR, while

leading a chat session with an online customer, could lead the customer to web pages that would either show the customer what she had been looking for, or show her other information that would help her in her online shopping.

5. He also explained at around that same time that a user could click on a unique hyperlink button on a Web site put there for the purpose of connecting the user via the hyperlink with a real-time chat dialogue with the live sales or service person. The service person could answer questions in the chat and in the same session lead the user to any desired location on the Web.

6. Damion and I collaborated within the USA on creating several prototypes of these advanced chat/browser applications from the Fall of 1996 to about August 1997, and discussed their workings with each other and demonstrated them in confidence to Damion's colleagues at amfAR in NYC.

7. Also between the Fall of 1996 and August 1997, we worked on expanding and refining the code base in these prototypes to better enable the process, and to build a platform that could accommodate mission critical applications. We worked many hours on issues of scalability, robustness for reduced dropouts and greater reliability, and redundancy.

8. During this time, Damion and I made and tested each prototype, each one created from previous test results and from continually emerging requirements to meet criteria as he envisioned them, including the ones we have since disclosed in our patent application, the text and drawings of which are herewith included in this declaration by this reference as if fully set forth in this declaration.

9. By this time Damion and I both realized, and discussed with each other, how a real time internet communications system like the Web could support a chat 'session' service, linked to a web site, to connect one or more support agents to at least one user. We pictured that each agent could log in to the session service, while the user was browsing the website. At some point the user could then click a hyperlink button on the website for assistance, and be thereby directed transparently to the session 'cloud' (a virtual queue for users) while the cloud would then notify the logged in agent that a user had made a request for assistance via the link. The cloud would also initiate a distribution routine whereby a java client application would be sent to the user's machine, so that when the agent responded to accept the call from the cloud, both the agent and the user would be placed into a session channel or chat specially formed by the java client on the user's machine and an appropriate server operatively connected to the website so that the agent and the user could collaborate.

10. Damion and I continued to work throughout late 1997 on perfecting Java code to define and implement our conceptual notions of 'session' and 'cloud'. In particular we developed a thin java client that could be speedily and readily downloaded on demand to any user clicking such a CSR hyperlink, as well as the companion java server, and we developed the virtual queue, or cloud.

11. In January 1998 Damion reported to me that he had been introduced to Martin Rood, and that he had explained the whole vision of what we had come to call the isession. Damion also reported to me that January that he tested our chat / browser leader CS prototypes on various browser platforms, and demonstrated them to Martin in Seattle. Martin, Damion and I produced together and successfully tested in January 1998 our first robust CS browser leading chat session.

12. We continued ironing out bugs and making needed improvements through 4/98 when Damion engaged patent counsel. I continued testing and refinement of similar prototypes through at least June of 1998 when we filed our provisional patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the accompanying application or any patent issued thereon.

DATED 11/20/02



HOA TON-THAT